

Title 16. Respiratory Care Board
Department of Consumer Affairs
[Citation and Fine - Unlicensed Personnel]

INITIAL STATEMENT OF REASONS

HEARING DATE: July 23, 2003

SUBJECT MATTER OF PROPOSED REGULATIONS:

Issuance of citations and fines for violations of the Business and Professions Code Sections 3766, 3767, and 3768.

SECTIONS AFFECTED:

Section 1399.391 of Division 13.6 Article 7 of Title 16 of the California Code of Regulations.

SPECIFIC PURPOSE OF EACH ADOPTION, AMENDMENT, OR REPEAL:

Adopt Section 1399.391 to deter unlicensed personnel from practicing respiratory care in this state without a license in good standing. Adopting this section will allow the Respiratory Care Board to enforce existing statutes, while at the same time, protect the health, safety and welfare of the public.

FACTUAL BASIS:

The proposed regulations will enforce and implement existing statutes and provide public protection by ensuring only licensed practitioners provide respiratory care services.

UNDERLYING DATA:

None

BUSINESS IMPACT:

Insignificant

SPECIFIC TECHNOLOGIES OR EQUIPMENT:

None necessary

CONSIDERATION OF ALTERNATIVES:

No alternative which was considered would be either more effective than or equally as effective as and less burdensome to affected private persons than the proposed regulation.